

APR 30 2013

JULIA C. DUBBLEY, CLERK  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 5:07CR00011
	)	(CASE NO. 5:13CV80574)
	)	
v.	)	<u>FINAL ORDER</u>
	)	
	)	
FERNANDO BARAJAS,	)	By: Glen E. Conrad
	)	Chief United States District Judge
Defendant.	)	

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that this motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255, is

**DISMISSED** as untimely filed, and this action is stricken from the active docket of the court.

Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 30<sup>th</sup> day of April, 2013.



Chief United States District Judge